REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 and 6 are currently being amended. Claims 13-17 are being added. This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. After amending the claims as set forth above, claims 1-17 are now pending in this application.

Rejections under 35 U.S.C. 102(e)

Claims 1-3, 7-8 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Application Publication 2006/0072491 (Simons). Claims 1 and 6 have been amended, rendering the rejection with respect to Claims 1-3 and 7-8 moot. With respect to Claims 10-12, Applicant respectfully traverses the rejection. Applicant respectfully requests withdrawal of the rejection.

The methods and systems described by the present application achieve "fast connection establishment and device discovery [and] ... provides for efficient energy consumption in wireless devices." (Para. [0012], present application.) According to the present application, one way this result is achieved is by bypassing "time-consuming association and disassociation phases" when a device only needs information about a beacon transmitting device. (Para. [0043], present application.)

1.   Simons does not teach "transmitting a confirmation packet"

In the Office Action, the Examiner alleges that "transmitting a confirmation packet to the remote wireless communications device during a third predetermined time interval, the third predetermined time interval immediately following the second predetermined time interval," is shown by Simons Para. [0077] to [0029] and [0044] to [0045] and Fig 4. (Applicant assumes that [0077] should refer to paragraph [0007].) However, none of the sections cited by the Examiner have any indication that a "confirmation packet" is transmitted. Paragraphs [0044] to [0045] indicate that once the communication block is

"full," any requests from secondary stations are denied. Communication blocks that are not "full" are "available to accept the request" to join the network. Nothing of a "confirmation packet" is mentioned. Review of the remainder of Simons finds discussion of a registration process for joining the network, including an explanation in Paragraph [0029] that upon detecting a beacon, the secondary station "may then request registration in which network and device ID's are exchanged."

There is also no discussion or suggestion in Simons of "the third predetermined time interval [when the confirmation packet is transmitted] immediately following the second predetermined time interval [when the scanning is done]."

The Examiner has not shown that Simons includes "transmitting a confirmation packet to the remote wireless communications device during a third predetermined time interval, the third predetermined time interval immediately following the second predetermined time interval," of Claims 1 and 6. Accordingly, the rejection of Claims 1-3 and 7-8 cannot be properly maintained.

2.   Simons does not teach "scanning" by the beacon-transmitting device

In the Office Action, the Examiner alleges that "scanning the wireless channel for a second predetermined time interval, the second predetermined time interval immediately following the first predetermined time interval," of Claim 1, is shown by Simons [0029], [0037] and Fig 4. Claim 1 has been amended to clarify that this "scanning" operation is done by the same wireless communications device performing the beacon packet transmission. Claims 10 and 11 are to the beacon-transmitting device itself, including a means for performing this operation. Claim 12 is also to the device including a means for monitoring a wireless channel. However, Paragraph [0029] of Simons states:

[0029] The ZigBee scheme provides basic registration or enumeration processes wherein a secondary station wishing to join a piconet scans for beacons. (An example of a registration process is described in applicant's co-pending international application WO0128157 published 25 Oct. 2001, incorporated herein by reference and to which the reader is now directed). Upon detecting a beacon it may then request registration in which network and device ID's are exchanged (ZigBee defines 64 bit unique identifiers for a device, although in use it is preferable for a coordinator to allocate a device a shorter 16 or 8 bit radio code/identifier). The coordinator stores a routing table of these allocated codes for messaging. Following registration the device is able to exchange radio messages with the coordinator, whilst ignoring messages from other networks or other devices on its network via the ID's representing source/destination/ network addresses in header fields of the radio messages.

Paragraph [0029] describes operation of a *secondary station* that scans for beacons. Once the secondary station detects a beacon it requests registration. A "coordinator" stores a routing table of network identifiers. According to [0029], the secondary station must register before messages can be exchanged. As indicated above, one advantage of the methods and systems described in the present application is the bypassing of "time-consuming association and disassociation phases." The section cited by the Examiner specifically requires a registration or association phase.

Paragraph [0037] of Simons describes Fig. 4:

[0037] In this embodiment the blocks 29a and 29b are operating in the aforementioned beacon mode. With reference to FIG. 4, the beacon signals 40 are separated by a superframe time, conveniently split into sixteen equally sized time slots 42. The beacon signal is transmitted in the first slot of each superframe and the time between beacon signals is typically 15 ms.
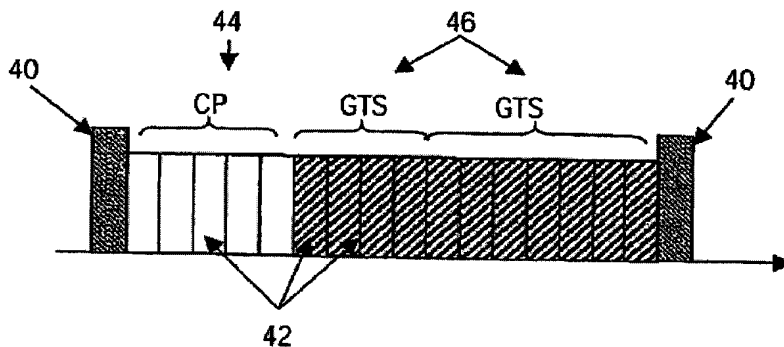
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FIG.4

Again, nothing in paragraph [0037] or Fig. 4 describes or suggests a master device "scanning the wireless channel." Rather Fig. 4 shows (and paragraph [0038] of Simons further describes) the user of a "contention period (CP) in which secondary stations compete for the channel." This CP involves secondary stations that are *registered* with the system. (See Paragraph [0043] Simons.)

Another glaring omission not taught by Simons is "the second predetermined time interval [when the scanning is done] immediately following the first predetermined time interval [when the beacon packet transmission is done." This timing aspect is important because of the advantages of faster and more efficient device discovery that the claimed invention provides.

An anticipation rejection cannot be properly maintained where all of the claim elements are not shown in the cited reference. The Examiner has not shown that Simons discloses "scanning the wireless channel from the wireless communications device for a second predetermined time interval, the second predetermined time interval immediately following the first predetermined time interval," as recited by Claims 1 and 6. Accordingly, the rejection of Claims 1-3 and 7-8 cannot be properly maintained. For similar reasons, the rejection of Claims 10-12 based on Simons cannot be properly maintained.

Rejections under 35 U.S.C. 103

Claims 4-5 and 9 are rejected under 35 U.S.C. 103(a) as unpatentable over Simons in view of U.S. Application Publication 2004/0170217 (Ho). Claims 1 and 6 have been

amended, rendering the rejection with respect to Claims 4-5 and 9 moot. Applicant respectfully requests withdrawal of the rejection.

In the Office Action, the Examiner points to Ho as showing usage of OFDM symbols. However, Ho does not describe or suggest the missing teachings discussed above with respect to Claims 1 and 6, from which Claims 4-5 and 9 depend. An obviousness rejection cannot be properly maintained where all the claimed elements are not described or suggested in the cited references. Withdrawal of the rejection is respectfully requested.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.
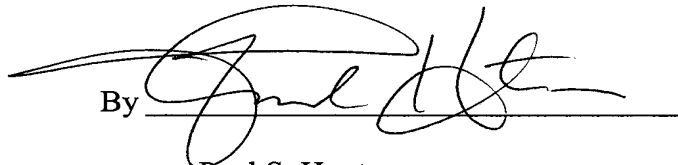
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 3, 2008   By _____

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